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EXAMINER	
KIM, PAUL	
ART UNIT	**PAPER NUMBER**
2161	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/29/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/699,170	BHATT ET AL.	
	Examiner	Art Unit	
	Paul Kim	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 October 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4,6-8,10,13-16,19 and 20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4,6-8,10,13-16,19 and 20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office action is responsive to the following communication: Amendment filed on 16 October 2006.

Response to Amendment

2. Claims 1-2, 4, 6-8, 10, 13-16 and 19-20 are pending and present for examination.

3. Claims 3, 5, 9, 11-12 and 17-18 have been cancelled.

4. Claims 1, 4, 8,13,15 and 19 have been amended.

5. No claims have been added.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 1-2, 6-8, 10, 13-16, and 19-20** are rejected under 35 U.S.C. 102(e) as being anticipated by Multer et al (U.S. Patent No. 6,671,757, hereinafter referred to as MULTER), filed on 26 January 2000, and issued on 30 December 2003.

8. **As per independent claims 1 and 15**, MULTER teaches the following:

> A method comprising:
>
> accessing at least one data element representing a delta data change from a source database of a source system, the delta data change existing in a first collection of data in the source database {See MULTER, col. 6, lines 20-30, wherein this reads over "the differencing transmitter on System A will extract the differences in the file known to exist on System B and any new files"};

accessing a related data element from the source database, the related data element affecting a layout of the at least one data element {See MULTER, col. 6, lines 20-30, wherein this reads over "the differencing transmitter on System A will extract the differences in the file known to exist on System B and any new files"};

copying the at least one data element and the related data element to an export data file {See MULTER, col. 6, lines 6-8, wherein this reads over "converts the information extracted into difference information"};

transporting the export data file from the source system to a target system having a target database {See MULTER, col. 6, lines 20-30, wherein this reads over "transmit only those differences (instructions for where to insert those differences) to the differencing receiver"};

displaying, at the target system, a user interface {See MULTER, col. 13, wherein this reads over "[a] user interface is provided to allow additional functional features to a system user "} that identifies ones of the at least one data element that exist in a second collection of data stored in the target database {See MULTER, col. 6, lines 8-11, wherein this reads over "[d]ifference information comprises only the changes to System B's data which have occurred on System B and instructions for implementing those changes"}, to prompt a user selection of desired ones of the at least one data element to be copied in the target database {See MULTER, col. 2, lines 43-45, wherein this reads over "[i]f both files have changed, then the synchronization routine presents the option of conflict resolution to the user"}; and

copying selected ones of the at least one data element and the related data element to the target database {See MULTER, col. 6, lines 52-58, wherein this reads over "a separate database of the difference information provided by System A . . . stored for later retrieval by System B"}.

9. **As per dependent claims 2, 10, and 16,** MULTER teaches the following:

The method of claim 1 wherein copying the at least one data element to the export data file comprises:

comparing the at least one data element to a data element stored in a reference export data file {See MULTER, col. 6, lines 3-6, wherein this reads over "differencing transmitter . . . examines a specified data structure of information which is to be transmitted"}; and

storing the at least one data element to the export data file based on the comparison {See MULTER, col. 6, lines 8-11, wherein this reads over "[d]ifference information comprises only the changes to System B's data which have occurred on System B and instructions for implementing those changes"}.

10. **As per dependent claims 3, 9, and 17**, MULTER teaches the following:

The method of claim 1 further comprising copying a related data element from the source database to the export data file, the related data element relates to one of the at least one data element {See MULTER, col. 6, lines 6-19, wherein this reads over "[d]ifferencing transmitter extracts such information from System A and converts the information extracted into difference information. Difference information comprises only the changes to System B's data which have occurred"}.

11. **As per dependent claims 5, 12, and 18**, MULTER teaches the following:

The method of claim 1,

wherein copying selected ones of the at least one data element to the target database comprises copying a related data element from the export data file to the target database, the related data element relates to one of the at least one data element {See MULTER, col. 6, lines 52-60, wherein this reads over "[s]torage server may store a separate database of the difference information provided by System A" and "multiples sets of difference information may be provided at different points in time, and stored for later retrieval by stem B"}.

12. **As per dependent claims 6, 13, and 19,** MULTER teaches the following:

The method of claim 1,

wherein copying to the target database comprises generating a restorable archive file using the ones of the at least one data element that exist in the second collection of data stored in the target database {See MULTER, col. 6, lines 60-64, wherein this reads over "the difference information sets may be maintained on server to allow data on either System A or System B to be returned to a previous state"}.

13. **As per dependent claim 7, 14, and 20**, MULTER teaches the following:

The method of claim 6

wherein generating the restorable archive file comprises using a related data element to the at least one data element, the related data element existing in the second collection of data stored in the target database {See MULTER, col. 6, lines 60-64, wherein this reads over "the difference information sets may be maintained on server to allow data on either System A or System B to be returned to a previous state"}.

14. **As per independent claim 8**, MULTER teaches the following:

A system comprising:

a computer network {See MULTER, Figure 7; and col. 1, lines 57-65, wherein this reads over "system A", "system B", and "type of network"};

a source system coupled to the computer network {See MULTER, col. 1, lines 57-65, wherein this reads over "system A"}, the source system storing a first collection of data in a source database {See MULTER, Figure 5};

a target system coupled to the computer network {See MULTER, col. 1, lines 57-65, wherein this reads over "system B"}, the target system storing a second collection of data in a target database {See MULTER, Figure 5};

a service delivery device coupled to the network, the service delivery device including a processor and memory storing instructions that, in response to receiving a first type of request for access to a service {See MULTER, col. 6, lines 3-6, wherein this reads over "[t]he differencing transmitter, upon receipt of a control signal enabling operation of the transmitter, examines a specified data structure of information which is to be transmitted to system B}, cause the processor to:

access at least one data element representing a delta data change from the source database of the source system, the delta data change existing in the first collection of data in the source database {See MULTER, col. 6, lines 20-30, wherein this reads over "the differencing transmitter on System A will extract the differences in the file known to exist on System B and any new files"};

access a related data element from the source database, the related element affecting a layout of the at least one data element {See MULTER, col. 6, lines 20-30, wherein this reads over "the differencing transmitter on System A will extract the differences in the file known to exist on System B and any new files"};

copy the at least one data element and the related data element to an export data file {See MULTER, col. 6, lines 6-8, wherein this reads over "converts the information extracted into difference information"}; and

transport the export data file from the source system to the target system having the target database {See MULTER, col. 6, lines 20-30, wherein this reads over "transmit only those differences (instructions for where to insert those differences) to the differencing receiver"};

display, at the target system, a user interface that identifies one of the at least one data element that exist in the second collection of data stored in the target database, to prompt a user selection of desired ones of the at least one data element to be copied in the target database; and

copy selected ones of the at least one data element and the related data element to the target database.

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

16. **Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over MULTER, in view of Yuen (U.S. Patent No. 5,423,033, hereinafter referred to as YUEN), filed on 30 September 1992, and issued on 6 June 1995.

MULTER teaches the limitations of claims 1-3 and 5-20 for the reasons stated above.

MULTER differs from the claimed invention in that MULTER fails to disclose a method wherein the data element represents a report, and the related data element represents a graphical illustration of data in the report (claim 4).

17. **As per dependent claim 4**, MULTER, in view of YUEN, discloses a method wherein the at least one data element represents a report {See YUEN, col. 1, lines 44-46, wherein this reads over "[r]eport may also provide

multiple data elements for each row"; and lines 50-52, wherein this reads over "a particular data element on the report"} and the related data element represents a graphical illustration of data in the report {See YUEN, col. 2, lines 28-34, wherein this reads over "in a graphics-based report, the system may generate a secondary report showing detailed information concerning a selected graphical element, such as a wedge in a pie chart"}.

The combination of the inventions disclosed in MULTER and YUEN would disclose a method wherein the data element represents a report (i.e. the data element representing certain data in the report) and the related data element represents a graphical illustration of data in the report (i.e. a wedge in a pie chart). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the inventions suggested by MULTER and YUEN.

One of ordinary skill in the art would have been motivated to do this modification so that data elements, such as contact information, charts and reports, and related data elements, such as report layout logic and text elements, may be copied from a source database to a target database.

Response to Arguments

18. Applicant's arguments filed 16 October 2006 have been fully considered but they are not persuasive.

a. **Applicant's Arguments:**

i. Claim rejections under 35 U.S.C. 102(e)

Applicant asserts the argument that "Multer is concerned with synchronizing personal information, as opposed to synchronizing and updating business information, across devices, and Multer does not discuss related data elements at all" (Amendment, page 18).

Applicant asserts the argument that "because Multer does not disclose or suggest related data elements, Multer necessarily does not disclose or suggest a related data elements that affects a layout of an at least one data element" (Amendment, page 18).

Applicant asserts the argument that Multer fails to disclose or suggest "a method that includes copying selected ones of the at least one data element and the related data element to the target database" (Amendment, page 19).

Applicant asserts the argument that "the operating environments are completely different: Multer concerns synchronizing personal information, while Applicant's disclosure is directed to business data environments and the complex relationships between data elements that may be defined in such environments" (Amendment, pages 19-20).

ii. Claim rejections under 35 U.S.C. 103(a)

Applicant asserts the argument that Yuen fails to cure the deficiencies of Multer.

b. **Response to Arguments:**

i. Claim rejections under 35 U.S.C. 102(e)

As per Applicant's assertion that "Multer is concerned with synchronizing personal information, as opposed to synchronizing and updating business information, across devices," the Examiner respectfully disagrees. It is noted that the features upon which applicant relies (i.e., the synchronizing and updating of business information) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Additionally, because the type of data is not critical to the invention and its intended use, the type of data does not carry any patentable weight. Furthermore, while Applicant asserts the argument that "Multer does not discuss related data elements at all," it is noted that data elements found within the same relational database are inherently "relationally linked." Thus, the recited prior art of Multer indeed does disclose data elements which are related since said data elements are relationally linked.

As per Applicant's assertion that "because Multer does not disclose or suggest related data elements, Multer necessarily does not disclose or suggest a related data elements that affects a layout of an at least one data element," the Examiner respectfully disagrees. It is noted again that Multer indeed does disclose data elements which are related. Furthermore, it is noted that the recited claims must be afforded the broadest reasonable interpretation available. Therefore, with regards to the assertion that Multer fails to disclose a related data element which affects a layout of another data element, it is noted that the related elements indeed affect the layout of at least one data element since wherein the information transferred may contain contact information, the changes made during the synchronization would conclusively result in the layout of the contact information being affected.

As per Applicant's assertion that Multer fails to disclose "a method that includes copying selected ones of the at least one data element and the related data element to the target database," the Examiner respectfully disagrees. It is noted that Multer discloses "[a] storage server [which] may store a separate database of the difference information provided by System A, which allows System A to provide its different information to the storage server at a first point in time, and storage sever to provide the same difference information to System B" {See Multer, C6:L47-63}. Furthermore, it is noted that wherein the storage server controls the transmission of various components of the difference information to each of the various systems, the storage server would not be limited to a singular database, but would have multiple database to detect and output the difference information of multiple systems. Thus, Multer indeed does disclose a method which includes the copying of data elements to a target elements.

As per Applicant's assertion that "the operating environments are completely different: Multer concerns synchronizing personal information, while Applicant's disclosure is directed to business data environments and the complex relationships

between data elements that may be defined in such environments," the Examiner respectfully disagrees. It is noted that the features upon which applicant relies (i.e., the synchronizing and updating of business information) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

For the aforementioned reasons above, the rejections under 35 U.S.C. 102(e) are sustained.

ii. Claim rejections under 35 U.S.C. 103(a)

As per claim 4, Applicant has not asserted any specific arguments in response to the rejections of the claims. Therefore, the rejections of claim 4 is sustained because Applicant has not traversed the rejections nor presented any arguments for overcoming the rejections contained in the prior Office Action, dated 14 April 2006. Furthermore, by virtue of dependency, the rejections of Claims 4 are sustained for the reasons stated above in relation to Claim 1.

Conclusion

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Kim whose telephone number is (571) 272-2737. The examiner can normally be reached on M-F, 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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